

**AGENDA  
MAINE STATE HARNESS RACING COMMISSION  
MEETING**

**February 8, 2018**  
Gambling Control Board Conference Room  
Department of Public Safety  
45 Commerce Drive, Augusta, Maine  
**Starting Time 9:00 a.m.**

- 1. Call the Meeting to Order and Introductions:** William Varney, Chair
- 2. Review and Approval of Minutes  
Review and Approval of Decision and Orders**
- 3. Review of the Rulemaking Comments and Hearing Record.** On November 22, 2017, a Notice of Agency Rulemaking Proposal was published in Maine's five daily newspapers marking the beginning of the official comment period for proposed amendments to Chapters 1, 3, 7, 11, 13, 15 and 17 of the Commission's rules. The Commission held a public hearing on the proposed amendments December 14, 2017. The deadline for written comments was the close of business on December 29, 2017. The Commission reviewed Chapters 1, 3, 13 and 15 at the January 17, 2017 meeting and directed the staff relative to which amendments to accept. The Commission will now review Chapters 7, 11 and 17.
- 4. Approval of Maine Harness Horsemen's Association Annual Budget.** Title 8, Section 272-B, provides that up to 3% of the funds that are allocated to supplement purses may be paid to a statewide association of horsemen if that association prepares and approves an annual budget and submits it to the Commission. The Maine Harness Horsemen's Association has prepared and approved a budget for the Commission's consideration.
- 5. Discussion of the Commission's Consent Agreement Policy.** State agencies charged with administration of professional licensing laws and associated standards often resolve violations of the law via administrative consent agreements. The consent agreement process generally saves both parties the time and money associated with adjudication. Consequently, in order to encourage resolution through the consent agreement process, the penalties incorporated are generally slightly less than those that would result from adjudication. The Commission has authorized the staff to enter into consent agreements for Penalty Classes B and C, provided that the alleged violator is willing to agree to the minimum penalties contained in Chapter 17. Recently, the staff has found that many licensees favor adjudication, believing they are more likely to receive reduced penalties via that process. The adjudication process places extreme demands on the Department's resources. The staff would like to discuss whether there may be ways to alter the current incentives which many licensees believe favor adjudication.
- 6. Discussion of Policies Relating to Licensing.** At one time, apparently, it was possible to obtain a participant's license at the track through the State Steward. Nowadays, a specialized printer is used to produce a plastic license card with photo identification. In addition, the staff now needs to verify a handful of qualification requirements prior to

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issuing licenses, some of which require specialized searches through the United States Trotting Association website. Many professional licensing agencies alert applicants to allow time for processing. The HRC staff has no dedicated licensing staff: we're all generalists dealing with a multitude of tasks and urgencies. The HRC office often has drop in business very late in the day. Some applicants have an expectation that they can arrive just before the close of business on any day of the week and expect to be able to obtain a license. Applicants may apply for a license any time after January 1 of the calendar year. The staff simply wishes to alert the constituency that allowing for a standard processing time of at least two weeks is both reasonable and appropriate.

7. **Illegal Gambling Discussion.** The Commission shall consider whether to authorize its counsel to investigate an allegation of illegal gambling in violation of Title 8 section 300-A.
8. **Other Business**
9. **Public Comment**
10. **Schedule of Future Meetings:**  
March 8 and April 12, 2018
11. **Adjourn**